

**LOUISIANA AGRICULTURAL CHEMISTRY AND SEED COMMISSION
MEETING MINUTES**

June 19, 2014

9:00 a.m.

**Louisiana Department of Agriculture & Forestry Building
LDAF Veterans Memorial Auditorium
5825 Florida Boulevard
Baton Rouge, LA 70806**

CALL TO ORDER

The meeting was called to order at 9:06 a.m. by Mr. Fred Bass, Confidential Assistant to Commissioner Mike Strain.

ROLL CALL

The roll was called by Mrs. Tina Ficklin.

The following members or their Designees were present: Mr. Fred Bass, Designee for Commissioner Mike Strain; Dr. Philip Elzer, representing the LAES; Dr. John Saichuk, representing the LCES; Mr. James Monroe, Designee for Mr. Ronnie Anderson, representing Louisiana Farm Bureau Association, and Mr. Michael Hensgens, representing seed Industry. Fertilizer representative, Mr. Don Philley, and Feed representative Mr. Ed O'Neal were not present at the meeting.

Others Present: Todd Parker, Assistant Commissioner of LDAF; Dr. Mark LeBlanc, Director of Ag Chemistry; Angelle Pearson, Director of Ag Chemistry; Meagan Davis, Director of Ag Chemistry; Kevin Wofford, Director LDAF Seed Programs Division; Lester Cannon, Assistant Director LDAF Seed Programs Division; Lauren Boydston, Ag Chemistry; Tina Ficklin, LDAF Seed Programs Division, Christopher Mora, LDAF General Counsel and Lindsey Hunter, Assistant Attorney General. A quorum was declared.

PUBLIC COMMENT

No public comment.

APPROVAL OF THE MINUTES

Motion: Dr. Philip Elzer made a motion to approve the proceedings from the October 31, 2013 Louisiana Agricultural Chemistry and Seed Commission meeting as written. Mr. James Monroe seconded the motion. Motion was approved unanimously.

SET NEXT HEARING DATE

Mr. Kevin Wofford requested to set the next hearing date for the Louisiana Agricultural Chemistry and Seed Commission for October 23, 2014. All members were in agreement.

OLD BUSINESS

No old business for discussion.

HEARINGS

Lindsey Hunter, Hearing Officer for LDAF, explained the adjudicatory process to the newly sworn-in Agricultural Chemistry and Seed Commission members.

Cases to be continued until next meeting date

Case No. 13-25 The Home Depot #385

Stipulated Cases

Case No. 13-26 Walmart Supercenter #909

Case No. 13-27 Walmart Supercenter #313

Case No. 13-28 Stine Lumber Company #1178

The commission was informed that a stipulation agreement had been reached between LDAF and the respondents whereby the respondents neither agree nor deny the violations but accept the penalty as presented. Case evidence, Exhibit 1 - Charge Letters sent via Certified Mail with signed receipts and Exhibit 2 – Signed, witnessed and notarized Stipulation letters were presented to the commission by LDAF legal counsel, Christopher Mora and Seed Programs Assistant Director Lester Cannon. Lindsey Hunter accepted the evidence presented.

The stipulation agreement required that each respondent be charged a penalty of Five Hundred Dollars (\$500.00), whereby the Department agreed to waive half of the fine for a first-time offense for a total payable penalty of Two Hundred, Fifty Dollars (\$250.00), per respondent. The suspended amount is for a probationary period of one year barring that there are no further violations by that company during that time.

Motion to accept the stipulation letters as the findings of facts and conclusions of law and to accept the recommended penalty of Two Hundred, Fifty Dollars (\$250.00) per violation, per respondent was made by Mr. Michael Hensgens and seconded by Mr. James Monroe. Motion passed unanimously.

NEW BUSINESS

Update on Seed Testing and Regulatory Programs

Kevin Wofford updated Commission members on the status of the Seed Programs.

Request to Recertify Cocodrie Rice

Rauser Farms requested allowance to re-certified Cocodrie rice due to the lack of availability of registered seed within Louisiana and other states.

Motion to accept the request by Rauser Farms to recertify Cocodrie Rice was made by Mr. Michael Hensgens, seconded by Dr. John Saichuk. Motion passed unanimously.

Seed Programs Division Rules & Regulations Changes

Motions below were made to accept changes, both technical and substantive, to Seed Programs Division Rules & Regulations. All motions passed unanimously.

Removal of DNA Fingerprinting Requirements from Smooth Cordgrass

Requested temporary removal of DNA requirements until better testing protocols and methods can be established.

A **Motion** to accept was made by Dr. John Saichuk, seconded by Mr. James Monroe.

Laboratory Fee Schedule

Requested to amend Laboratory Fee Schedule format and make substantive changes within the fee schedule, including fee changes.

A **Motion** to accept was made by Mr. Michael Hensgens, seconded by Mr. James Monroe.

Peanut Certification Standards

Seed Programs staff requested the Commission to authorize the proposed Peanut Seed Certification Standards.

A **Motion** to accept was made by Mr. Michael Hensgens, seconded by Dr. John Saichuk.

Motion to adopt a **Notice of Resolution to Adopt** in reference to the Seed Programs Division Rules & Regulations changes as presented above by the Seed Programs staff, allowing no changes, was made by Mr. Michael Hensgens seconded by Dr. Johnny Saichuk. Motion passed unanimously.

Update on Agricultural Chemistry Programs Division

Meagan Davis gave the Commission members an update on the Agricultural Chemistry Division.

PUBLIC COMMENT

No public comment.

ADJOURNMENT

Motion to adjourn was made by Dr. Philip Elzer, seconded by Mr. James Monroe. Motion passed unanimously.